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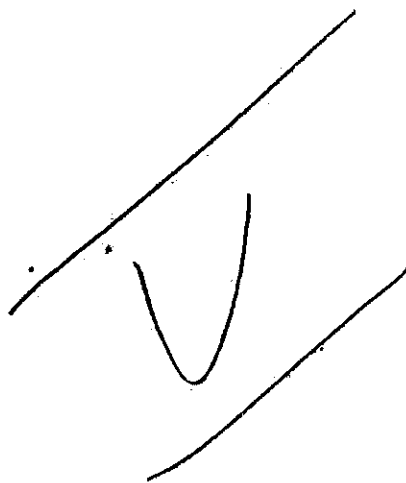
P. W.

DEPARTMENT

& BRANCH (1)

Subject:—Administrative Instructions.

Based on A Handbook for the new Civil
Servant to all officers of I. S. E. &
Provincial services.



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File No. 8763/36

Std. Sect. Slip 24 A

The following precepts based on "A Handbook for the New Civil Servant", published by His Majesty's Government Treasury, for the guidance of Civil Servants are reproduced for the information of the Officers of the All-India and Provincial Services under the administrative control of the Government of Bombay.

1. Legally you serve the State: that means, in practice you serve the responsible Minister in charge of your Department, who exercises his powers as a member of the Cabinet, and as the Minister is responsible to the Legislature, you serve the Legislature and hence the whole community. For instance, when the Legislature passes a Tenancy Act or an Industrial Disputes Act, the Minister will have to make detailed regulations about the ^{way} in which the Acts should be administered, and as civil servants you have to advise him on the points which the regulations should cover; as civil servants, you will also have to see that the regulations are properly and fairly applied in individual cases as they come up for decision.

2. As a civil servant, you must never forget that, however well-qualified an expert you may become in your job, you have not been elected to it by any vote; and in a democratic country it is the elected representatives—the Legislature and the Cabinet responsible to the Legislature, and therefore your Minister who is a member of the Cabinet—who must settle the lines on which the administration of the community should be carried out in a particular sphere. In other words, as a civil servant, you are not entitled to do things according to your personal taste just because it is your personal taste; what you do must be in accordance with what the Legislature wants you to do. Your Minister holds his office because he belongs to the majority in the Legislature which has formed the Government, and therefore what you do must be in accordance with what he wants ~~to~~ you ^{to} do. After all, he has the job of explaining to the Legislature what you are doing and justifying it. You must therefore serve him loyally to the best of your ability and carry out his decisions and the decisions of senior officers acting on his behalf.

3. (1) When changes in government occur, you might be carrying out measures opposite to those you carried out under an earlier government. You might think that a civil servant who can do this must be a pretty spineless creature—but this is a wrong attitude. If you accept

that.....

that parliamentary democracy is the best ^{best} form of government, you must also accept that public service should be performed in accordance with the wishes of the majority from time to time. Normally there are very few aspects of the public service which change with the change in the form of government and most of the administration remains unaffected by change of Cabinets.

(ii) As the administrative machine becomes more and more complex, it becomes more and more difficult for the Legislature to keep an eye on every detail, and accordingly there is an increasing area in which the civil servant has to use his own good sense. But even in this area, he is not his own master and not free to decide according to his personal ideas. Where he ceases to be directly and obviously acting under the orders of the Legislature of the Cabinet or his own Minister, he is still the servant of the public.

(iii) This is the most fundamental thing of all that you have to remember—that as a civil servant, YOU ARE THE SERVANT OF THE PUBLIC, OF THE PUBLIC AS A WHOLE, AND NOT OF ANY SECTIONAL INTEREST. You must be scrupulously fair; you must ^{be} quick, accurate and efficient; you must be courteous to the members of the public with whom you have to deal and within the limits of your Department's powers you must be as sympathetic and helpful as possible.

4. As fresh entrants to the civil service, you may find that the civil service attaches great importance to papers—files, memoranda, and written records of all kinds. A good deal of the work may be done by telephone, where available, or by personal ^{or} discussion; but you will find that anything important or new has to be recorded on paper. You may think this a slow and cumbrous way of doing things, but there are several reasons for it. The first is, that under a parliamentary system of government, the legislature has the right to enquire into any action taken by a government department, and a short notice question can be put at any time, perhaps a long time after the event, or perhaps when the civil servant who actually took that particular action

has.....

has retired or been transferred. Written record of the action taken and of the reasons underlying the decision is therefore necessary.

Secondly, the written record is necessary to preserve the impartiality of the Service. A civil service cannot, as a private businessman sometimes may sell at a low price to one customer and make up by charging a higher price to another; it has to deal with all on the same terms. There must therefore be a written record so that it may be done again in the future, when the same problem arises. This incidentally reduces a number of administrative problems to a set of principles to be followed, and avoids chances of whimsical or arbitrary action on the part of civil servants.

5. You may find that before a decision is taken, the papers pass through several hands. This may, at first sight, seem cumbersome; but it is bound up with the tradition of impartiality and fairness. Written records must be carefully examined to see what principles have been followed in similar cases in the past, and this must be done by a junior civil servant. Departure from precedent is ~~now~~ often necessary, but a decision in such cases has to be taken by the senior and more experienced civil servant. It is for this purpose that the work must pass through a junior civil servant to save the time of the senior civil servant.

6. You must be precise and honest. You must appreciate the problem before you fully; collect and check up all the relevant facts and set them out clearly and fairly; do not take anything for granted. There may be more than one point of view and it is dangerous to accept somebody else's statement without verifying it yourself. If you see a snag or a difficulty or a point which you do not understand, do not ignore it in the hope that nobody else would spot it. It is your job to straighten it out, or if you cannot at least to point it out to your Chief and let him deal with it. Whatever shortcomings a civil servant may have, he need never be found wanting in this kind of honesty.

7. Having considered your problem fully, you should always suggest a definite course of action, or decide it yourself if it is a matter which you have been told you may decide. Your Chief may not agree with what you suggest, but your suggestion of a definite course of action will always help him to clear his own thoughts and make up his mind.

8. In dealing with a member of the public or even with another civil servant, try to put yourself in the place of the other person and think whether your answer (whether by letter, minute, telephone, or interview) is going to satisfy. Be polite always; don't be vague; don't be deliberately obscure; if you have to turn down a request, make it clear why you are turning it down. Do try to explain and give reasons for your decision. Nothing is more irritating than to be refused and not to know why one is being refused.

9. Though accuracy is important and is never to be disregarded do not sacrifice speed too much for accuracy. Deal with your work promptly, especially, see that letters are answered promptly, and even if complete answers cannot be given quickly, an interim reply and not merely an acknowledgement is sent indicating the action being taken. An interim reply can be fully informative if you will think out the interim reply with sufficient frankness and understanding.

10. Do not pass on the baby to others; before passing on a case to other officers or departments, be quite sure that it does not concern you, and then pass on to the exact officer of department to whom it should go. If you do not know which is the officer or department dealing with the matter, go on asking in likely places until you find out; don't pass on vaguely to someone or the other. When you have found out the proper official or department, pass on the case to that official or department and remember this for the next occasion. An enormous amount of delay for which government offices are blamed, particularly the really spectacular examples, is caused by the aimless circulation of papers in which no one will take any interest. If therefore a case comes to you which is not yours, don't take the easy way and pass on the baby to someone else, but be officious, ascertain the exact officer of department to whom it should go, see that the correspondent gets an interim reply however brief, and then pass on the case to the exact official or department.

11. Don't be shy of suggesting ways and means of improving the organization of your job or of doing it more rapidly or with less effort. You come to it with a fresh mind, and you may have some useful suggestions to make. But think them over very carefully first and make quite sure that they are improvements and that you have not, through inexperience, overlooked some obvious snag. Don't begin to criticise until you have learnt the reasons behind the existing method of doing things and don't

assume that every existing method is just red tape: 832

12. Many employers ask no more of their employees than that they should do their jobs conscientiously and intelligently and you may feel at first that the State as your employer cannot reasonably ask any more of you. But the State can and must; nobody wants to control your private life for control's sake, or to place unnecessary restrictions on what you do outside office hours. But in order that the public may have confidence in the loyalty, efficiency and devotion to duty of the public servants, there are some limitations and rules of behaviour, which civil servants must accept not only during the working day, but outside it.

13. If you have any personal grievance in connection with your post, take it up with your Chief or with the Head of your Department. These are the only proper methods of getting a personal grievance redressed. You must not write direct to Government, as normally government will not attend to any communication from an individual civil servant, unless it is submitted through the proper official channels, and you must not write to any outside person e.g., a member of the legislature and ask him to put in a good word on your behalf. There is no bar to your writing to any member of the legislature on a general question, but you must not pull strings so that you may get a personal advantage over other members of the service. If you do try to secure outside influences to support your case, your Department will be prejudiced against you rather than in your favour; the conclusion will be drawn that your claim cannot stand on its own merits and needs outside influence to support it. In serious cases, an attempt to introduce outside influence will be treated as a disciplinary offence.

14. The following extract from the report of a Board of Enquiry appointed by the British Prime Minister in 1928, gives briefly what the civil service traditions should be :—

"The first duty of a civil servant is to give his undivided allegiance to the State at all times and on all occasions when the State has a claim on his services. With his private activities the State is in general not concerned, so long as his conduct therein is not such as to bring discredit upon the Service of which he is a member. But to say that he is not to subordinate his duty to his private interest, ~~not~~ to make use of his official position to further those interests, is to say no more than that he must behave with common honesty. The Service exacts from itself a higher standard, because it recognises that the State is entitled....

entitled to demand that its servants shall not only be honest in fact but beyond the reach of suspicion of dishonesty. It was laid down by one of His Majesty's judges in a case some few years ago that it was not merely of some importance but of fundamental importance that in a court of law justice should not only be done but should manifestly and undoubtedly be seen to be done: which we take to mean that public confidence in the administration of justice would be shaken if the least suspicion, however illfounded, were allowed to arise that the ~~common~~ course of legal proceedings could in any way be influenced by improper motives. We apply without hesitation an analogous rule to other branches of the public service. A civil servant is not to subordinate his duty to his private interest; but neither is he to put himself in a position where his duty and his interests conflict. He is not to make use of his official position to further those interests; but neither is he so to order his private affairs as to allow the suspicion to arise that a trust has been abused or a confidence betrayed. These obligations are, we do not doubt, universally recognised throughout the whole of the service. If it were otherwise its public credit would be diminished and its usefulness to the State impaired.

" It follows that there are spheres of activity legitimately open to the ordinary citizen in which the civil servant can play no part or only a limited part. He is not to ~~be~~ indulge in political or party controversy, lest by doing so he should appear no longer the disinterested adviser of Ministers or able impartially to execute their policy. He is bound to maintain a proper reticence in discussing public affairs and more particularly those with which his own Department is concerned. And lastly, his position clearly imposes on him restrictions in matters of commerce and business from which the ordinary citizen is free.

" Between the regular investment and management of a private fortune on the one hand, and speculative transactions in stocks, exchange or commodities on the other, there are obviously numerous gradations, and it may often be difficult to draw the precise line of demarcation between what is lawful and what is prohibited; it may even be inadvisable to make the attempt, because many things, though lawful, may yet be inexpedient. But some transactions fall indubitably on the one side of the line rather than upon the other. It might well be

will be desirable for a civil servant in all circumstances to avoid transactions wholly speculative in character; but where he is employed in any Department to which, whether rightly or wrongly, the public attribute the power of obtaining special information, such as the future course of political or financial events likely to affect the rise and fall of markets then we assert unhesitatingly that participation in such transactions is not only undesirable or inexpedient, but wrong. The knowledge that civil servants so employed are engaged in them could not fail to shock public confidence at home. and, especially if matters of foreign exchange are involved, to produce a deplorable effect upon opinion abroad.

" We content ourselves with laying down general principles, which we do not seek to elaborate into any detailed code, if only for the reasons that their application must necessarily vary according to the position, the Department and the work of the civil servant concerned. Practical rules for the guidance of special conduct depend also as much upon the instinct and perception of the individual as upon cast-iron formulas; and the surest guide will, we hope, always be found in the ~~indomitable~~ nice and jealous honour of civil servants themselves. The public expects from them a standard of integrity and conduct not only inflexible but fastidious, and has not been disappointed in the past. We are confident that we are expressing the view of the Service, when we say that the public have a ~~right and just~~ right to expect that standard, and that it is the duty of the Service to see that the expectation is fulfilled."

No. 1270/46-D.

POLITICAL AND SERVICES DEPARTMENT.

Bombay Castle, 21st May 1947.

Forwarded with compliments to :—

All Heads of Departments and Heads of Offices under the Several
Departments of the Secretariat,
All Departments of the Secretariat (except the Separate Department).

2. The Heads of Departments and Heads of Offices are requested to distribute copies of the instructions to all the officers of the All-India and Provincial Services under them for their information and guidance. The Secretariat Departments are also requested to distribute copies to their respective officers.

By order of the Governor of Bombay,

J. CHAVES,

for Chief Secretary to the Government of Bombay,
Political and Services Department

Secy. (I) Id/-
13/6/47.

Secy. (R & B) Id/-
13/6

D. S. Id/-
14/6

D. S. (I & R) Id/-
14/6

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18-6-47

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